

CV 99 6371

AO 88 (Rev. 11/91) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**

**FOR THE EASTERN DISTRICT OF NEW YORK**

United States of America

**Summons in a Civil Action**

v.

**Case Number:**

**Claim No. : C-106231**

Richard Supple  
1281 Wheatley St.  
Hewlett, NY 11557

WEXLER J.  
LINDSAY, M.

**TO:**

Richard Supple  
1281 Wheatley St.  
Hewlett, NY 11557

YOU ARE HEREBY SUMMONED *and required to file with the Clerk of this Court and serve upon*

**PLAINTIFF'S ATTORNEY**

Francis E. Mullen  
Mullen & Iannarone, P.C.  
Attorneys for the Plaintiff  
300 East Main Street  
Smithtown, NY 11787

*an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.*

OCT 26 1999

DATE

ROBERT C. HEINEMANN CLERK

  
BY DEPUTY CLERK

CV 99 6371

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

Claim No. : C-106231

Civil Action No.:

Judge:

UNITED STATES OF AMERICA

vs.

RICHARD SUPPLE

§  
§  
§  
§

RECEIVED

LINDSAY, M.

**COMPLAINT**

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

The United States of America, plaintiff, alleges that:

**Jurisdiction**

1. This Court has jurisdiction over the subject matter of this application pursuant to Article III, Section 2, U.S. Constitution and 28 U.S.C. § 1345.

**Venue**

2. The defendant is a resident of New York state, within the jurisdiction of this Court and may be served with service of process at 1281 Wheatley St. Hewlett, NY 11557.

**The Debt**

3. The debt owed the U.S.A. is as follows:

A. Current Principal ( <i>after application of all prior payments, credits, and offsets.</i> )	\$1500.00
B. Current Capitalized Interest Balance and Accrued Interest ( <i>after application of all prior payments, credits, and offsets.</i> )	\$2179.32

C. Administrative Fees, Cost, Penalties  
(after application of all prior payments,  
credits, and offsets.)

\$0.00

**Total Owed**

**\$3679.32**

The Certificate of Indebtedness, attached shows the total owed. The principal balance and the interest balance shown on the Certificate of Indebtedness is correct as of the date of the Certificate of Indebtedness after the application of all prior payments, credits, and offsets. Prejudgment interest accrues at the rate of 7.000% per annum.

**Failure to Pay**

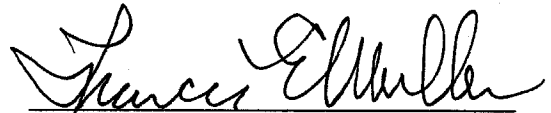
4. Demand has been made upon the defendant for payment of the indebtedness, and the defendant has neglected and refused to pay the same.

**WHEREFORE**, U.S.A. prays for judgment:

A. For the sums set forth in paragraph 3 above, plus pre-judgment interest through the date of judgment, all administrative costs allowed by law, and post-judgment interest pursuant to 28 U.S.C. § 1961 that interest on the judgment be at the legal rate until paid in full;

B. For such other relief which the Court deems proper.

By:



**Francis E. Mullen  
Mullen & Iannarone, P.C.  
Attorneys for the Plaintiff  
300 East Main Street  
Smithtown, NY 11787**

**Tel. No. (516)361-7050**

**Fax No. (516)361-7354**

U. S. DEPARTMENT OF EDUCATION  
SAN FRANCISCO, CALIFORNIA

CERTIFICATE OF INDEBTEDNESS

Name: Richard Supple  
AKA: N/A  
Address: 1281 Wheatley St.  
Hewlett, NY 11557  
SSN: 122-52-9547

I certify that Department of Education records show that the borrower named above is indebted to the United States in the amount stated below plus additional interest from 1/18/99.

On or about 9/30/74, the borrower executed promissory note(s) to secure loan(s) from First Federal Savings & Loan Association of New York at the annual rate of 7 % under loan guaranty programs authorized under Title IV-B of the Higher Education Act of 1965, as amended, 20 U.S.C. 1071 et seq. (34 C.F.R. Part 682). The holder demanded payment according to the terms of the note(s), and credited \$0.00 to the outstanding principal owed on the loan(s). The borrower defaulted on the obligation on 11/26/78 and the holder filed a claim on the guarantee.

Since assignment of the loan, the Department has received a total of \$0.00 from all sources, including Treasury Department offsets, if any. After application of these payments, the borrower now owes the United States the following:

Principal:	\$1,500.00
Interest:	\$2,111.85
Late fees:	\$ 0.00
Admin Costs:	\$ 0.00
Total debt as of : 1/18/99	\$3,611.85

Interest accrues on the principal shown here at the rate of 7 % per annum and a daily rate of \$.29

CERTIFICATION: Pursuant to 28 U.S.C. Section 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Date: 2/3/99

Name: [Signature]  
Loan Analyst  
Litigation Branch